



Office of the Attorney General  
State of Texas

DAN MORALES  
ATTORNEY GENERAL

April 26, 1996

Mr. Mark T. Sokolow  
City Attorney  
City of League City  
300 West Walker  
League City, Texas 77573-3898

OR96-0614

Dear Mr. Sokolow:

You ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 35505.

The City of League City (the "city") received a request for "monthly billing statements for calendar year 1994 from your governmental entity's cellular telephone dealer, including the following information: each person given a city cellular telephone, numbers called by each telephone, time and length of each call, [and] charge for each call." You claim that a portion of the requested information is excepted from disclosure under section 552.108 of the Government Code. You have submitted the documents requested. We have considered the exception you claimed and have reviewed the documents at issue.

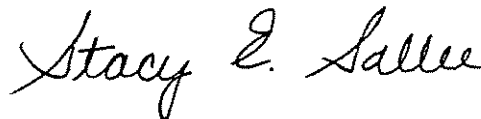
This office has previously determined that the cellular telephone numbers assigned to city officials or employees with specific law enforcement responsibilities may be withheld from required public disclosure. Open Records Decision No. 506 (1988). In accordance with our previous determination, and pursuant to section 552.108, you may withhold from required public disclosure the cellular telephone numbers assigned to individuals with specific law enforcement responsibilities.

Additionally, you contend that the telephone numbers called by the city officials and employees with specific law enforcement responsibilities may also be withheld from required public disclosure pursuant to section 552.108 of the Government Code. In Open Records Decision No. 636 (1995), this office concluded that a governmental body may withhold the numbers called under section 552.108 if the governmental body can establish that release of the numbers called would unduly interfere with law enforcement.

You claim that certain telephone numbers, which you have marked, are (1) cellular telephone numbers and pager numbers of undercover investigators/agents employed as peace officers or federal agents; (2) home telephone numbers, cellular telephone numbers and pager numbers of informants; (3) home telephone numbers, cellular telephone numbers and pager numbers of suspects or persons who are the targets of investigations; and (4) other cellular telephone numbers of those cellular telephones owned by the city that belong to the Criminal Investigations Division, the CID surveillance van, the Narcotics Task Force, and the Auto Crimes Task Force. We conclude that the city may withhold from disclosure the cellular telephone numbers called on these telephone bills under section 552.108. However, the city has marked for redaction information that does not reveal a telephone number called. The city has not established how release of this other information, such as the city called, the time of the telephone call, charge for the telephone call, the cellular account number, total airtime minutes, and taxes would unduly interfere with law enforcement. Therefore, the city may not withhold this other information under section 552.108 of the Government Code. We have marked a sample of the submitted documents, indicating the information the city may withhold under section 552.108.

We are resolving this matter with an informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented to us in this request and should not be relied upon as a previous determination regarding any other records. If you have questions about this ruling, please contact our office.

Yours very truly,



Stacy E. Sallee  
Assistant Attorney General  
Open Records Division

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Ref.: ID# 35505

Enclosures: Marked documents

cc: Mr. Heber Taylor  
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(w/o enclosures)